

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NEW YORK CITY & VICINITY DISTRICT
COUNCIL OF CARPENTERS,

Petitioner,

- against -

LILCO CONSTRUCTION CORP.,

Respondent.

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ROSLYNN R. MAUSKOPF, Chief United States District Judge.

ORDER ADOPTING
REPORT AND
RECOMMENDATION
18-CV-2695 (RRM) (CLP)

In a report and recommendation dated July 21, 2020, (the “R&R”), Chief Magistrate Judge Cheryl L. Pollak recommended that the Court confirm the arbitration award and that petitioner be further awarded an additional \$3,300.00 in attorney’s fees and \$854.53 in costs. (R&R (Doc. No. 23).) Judge Pollak further recommended that petitioner’s request for pre-judgment interest at a rate of 9% from May 8, 2017, until the date of final judgment, be awarded; and that post-judgment interest be granted, calculated at the applicable rate pursuant to 28 U.S.C. § 1961(a). (*Id.*) Judge Pollak advised the parties that any objections to the R&R had to be filed within fourteen (14) days.¹ (*Id.*) To date, neither party has filed an objection to the R&R.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, adopts the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is

¹ The Clerk of Court mailed the R&R to respondent at its last known address twice but the mail was returned as undeliverable. On September 30, 2020, the Court ordered petitioner to serve respondent with a copy of the R&R “via email and/or other electronic means on or before October 7, 2020, and to note that service on the docket sheet.” (Order of 9/30/2020.) Petitioner filed a Declaration of Service stating that it served a copy of the R&R on respondent via email at LILCOCORP@gmail.com. (Declaration of Service (Doc. No. 26).)

ORDERED that the R&R is adopted in its entirety, the arbitration award is confirmed, and petitioner is further awarded an additional \$3,300.00 in attorney's fees and \$854.53 in costs;

ORDERED that petitioner is awarded pre-judgment interest at a rate of 9% from May 8, 2017, until the date of final judgment, and post-judgment interest calculated at the applicable rate pursuant to 28 U.S.C. § 1961(a).

The Clerk of Court is respectfully directed to enter judgment in favor of petitioner and against respondent in accordance with this Order, to mail and email a copy of the judgment and this Order to respondent, to note that mailing and emailing on the docket sheet, and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
January 11, 2021

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
Chief United States District Judge